

PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

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IN RE: NOTICE OF PROPOSED INTERIM RESPONSE [506(b)]

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BEFORE: LAUREN CAMARDA, Moderator  
STEFANIE LEWIS, HSCA Project Manager  
PAUL VOGEL, HSCA Group Manager  
Darek Jagiela

HEARING: Wednesday, January 22, 2025  
6:25 p.m.

LOCATION: Videoconference

WITNESSES: Jacob Haglund, Eric Harder

Reporter: Emma Edwards

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## A P P E A R A N C E S

ALISON VATTER, Administrative Officer  
Department of Environmental Protection  
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## ALSO PRESENT:

Emily Green  
Diane McDaniel  
Scott McDougall  
Gretchen Montebello  
Brian Schimmel  
Edward Stokan  
Aspen Weitzel  
Tyra Oliver  
Joel Landis  
Rocco Giammaria  
Senator Pat Stefano  
Madolin Edwards  
Jacquelin Price  
Jason Floyd  
Richard (Ricky) Wagner

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NONE OFFERED

## P R O C E E D I N G S

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MS. CAMARDA: Hi, everyone. My name is Lauren Camarda. I'm the Regional Communications Manager for the Pennsylvania Department of Environmental Protection. We're going to get started in about five minutes, but you're here for the Tub Mill and Clearview Farm HSCA response public meeting and hearing. Thank you for joining us.

Good evening and welcome. My name is Lauren Camarda. I am the Regional Communications Manager for the Pennsylvania Department of Environmental Protection, Southwest Region. I'll serve as the moderator for tonight's hearing. I'm joined by the DEP's Digital Director Derek Jagiela, HSCA Environmental Group Manager Paul Vogel, and Geoscientist and Project Manager Stephanie Lewis. We have a number of additional DEP staff in attendance this evening to listen to your feedback.

DEP has initiated an interim response under the Pennsylvania Hazardous Sites Cleanup Act, which we refer to as HSCA at two parcels in Elk Lick Township, Somerset County.

DEP is hosting this hearing to provide the public and interested parties with an

1 opportunity to comment on the administrative record  
2 and DEP's decision to remove hazardous material at  
3 Tub Mill Farms and Clearview Farms, two sites  
4 consisting of, but not limited to, utility poles,  
5 railroad ties and contaminated soil.

6 We'll kick things off with a brief  
7 presentation by Stephanie Lewis, Geoscientist in  
8 DEP's Environmental Cleanup and Brownfield's Program  
9 and Project Officer for this response. We expect to  
10 have some time for Stephanie and Paul to answer some  
11 questions you may have and then we'll move on to the  
12 formal public hearing portion of today's program.

13 The hearing will be recorded by a  
14 court stenographer and a transcript of the hearing  
15 will be provided to the Department. I'll now hand  
16 it over to Stephanie.

17 MS. LEWIS: Hello, and thank you all  
18 for joining us this evening. The Tub Mill and  
19 Clearview Farms' site is located one to two miles  
20 west of West Salisbury and is split between two tax  
21 parcels. Parcel A represents the Tub Mill Farms  
22 property and is 122 acres with approximately 11  
23 acres containing potentially hazardous material.

24 Parcel B represents Clearview Farms.  
25 It's about 390 acres, with roughly 10 acres

1 containing potentially hazardous material.

2 The main areas of interest for the  
3 interim response are outlined here in the photo in  
4 yellow. It has previously been established to have  
5 over 70,000 utility poles and railroad ties.

6 The site was originally investigated  
7 by the DEP Waste Management Program from 1995 to  
8 2016. The Waste Management team identified that  
9 the site was continually in violation of the  
10 Pennsylvania Solid Waste Management Act and Clean  
11 Streams Law.

12 Inspections noted that the site was  
13 processing, transferring and disposing of, but not  
14 limited to utility poles and railroad ties without a  
15 valid permit. In 2002, an Administrative Order was  
16 issued to cease the acceptance and transportation of  
17 waste to the site. Continued inspections identified  
18 that the site was in violation of the Order by  
19 continuing to accept waste into the site.

20 In 2014, a Consent Order and  
21 Agreement or CO&A was signed to address the removal  
22 of all utility poles and railroad ties within six  
23 years. A site visit in 2022 confirmed that the  
24 utility poles and railroad ties were still present.  
25 After it was determined that the responsible parties

1 did not have the financial means to remove all the  
2 utility poles and railroad ties from the site, the  
3 site remediation was transferred from the Waste  
4 Management team to the Hazardous Sites Cleanup Act  
5 or HSCA Program.

6                   Utility poles and railroad ties are  
7 chemically treated using fungicides and pesticides  
8 to protect against wood decay and insects. Although  
9 during their normal lifespan these chemicals don't  
10 significantly leach from the wood, they will  
11 eventually break down, increasing the risk of  
12 chemical leaching from the wood into the surrounding  
13 soil.

14                   Since the 1940s and '50s, until the  
15 early 2000s, there were primarily three main  
16 chemical treatments used, chromated arsenical,  
17 pentachlorophenol, aka PCP, and creosote, which is  
18 the preferred chemical for railroad ties. In  
19 February 2022, the EPA banned the use of the PCP or  
20 the pentachlorophenol for wood treatment and is no  
21 longer being manufactured, sold or distributed in  
22 the United States. All three treatments pose cancer  
23 and noncancer health risks.

24                   In 2016, the DEP took samples from  
25 the utility poles, railroad ties and soil



1 surrounding the piles and confirmed the presence of  
2 hazardous substances such as naphthalene. Here is  
3 an aerial photo taken of the Tub Mill Farm Parcel A  
4 from 2013, just to give you a better idea of what  
5 the site looks like.

6 And then here's an aerial photo of  
7 the Clearview Farms or Parcel B, which was also  
8 taken in 2013.

9 This is an example of the height of  
10 the utility pole piles taken from one of the  
11 inspections in 2013, just to give you an idea of how  
12 tall these piles actually are on site.

13 And then here are some additional  
14 photos. This one is taken from the road in August  
15 2024, where you can see that some of the poles are  
16 sticking out to obscure the view of the rest of the  
17 site.

18 And here is a photo just to show some  
19 of the condition of material that is on site. This  
20 was taken in August 2024. And then here's a couple  
21 more additional photos, just to show more of the  
22 condition of some of the material that is on site as  
23 it stands currently.

24 There are two alternative options for  
25 the site. Option one would be to take no action,

1 leaving the poles and ties on site and is associated  
2 with no cost.

3 Option two would be the removal of  
4 the utility poles and railroad ties.

5 Additionally, visibly impacted soil  
6 from below the piles would be removed and it would  
7 cost less than \$2 million and have the possibility  
8 of cost recovery. The DEP has chosen alternative  
9 option number two and all generated waste from the  
10 removal will be moved to an off-site permitted  
11 facility for its disposal.

12 So you can find the administrative  
13 record is open for review until March 21st, 2025.  
14 And a digital copy of the administrative record and  
15 more information can be found at the DEP's website  
16 shown here at [www.dep.pa.gov/southwest](http://www.dep.pa.gov/southwest). And then  
17 under the community information tab labeled Tub Mill  
18 and Clearview Farms HSCA. And then my information  
19 is found here on the screen as well as the Group  
20 Manager Paul Vogel's information, should you have  
21 additional questions.

22 MS. CAMARDA: Thank you, Stephanie.

23 MS. LEWIS: Yes.

24 MS. CAMARDA: So I think we're going  
25 to open it up for some questions. I think we've got

1 plenty of time, given the number of registered  
2 testifiers, to open that up. If you have some  
3 questions about the site, you can use the raised  
4 hand function to let us know that you'd like to ask  
5 a question.

6 I think we can kind of kick that off  
7 and maybe spark some additional questions from those  
8 in attendance. And I can ask those - and Stephanie  
9 and Paul, if you can unmute and help with some of  
10 those responses.

11 Stephanie, you mentioned that it's  
12 estimated that the cost for this response would be  
13 under 2 million.

14 Can you talk a little bit about the  
15 funding and is there money appropriated for this  
16 project?

17 MS. LEWIS: Yes. So the DEP believes  
18 that the removal and disposal of the poles and ties  
19 should be less than \$2 million. So that's why it's  
20 categorized as an interim response under the HSCA  
21 Program. The statewide HSCA budget is approximately  
22 \$24 million and is comprised of contributions from  
23 the Marcellus Legacy Fund under the Oil and Gas Act,  
24 hazardous waste transportation fees, and remaining  
25 money from the capital stock and franchise tax that

1 ended in 2015.

2 So the HSCA project funding is  
3 prioritized based on its impact to human health and  
4 the environment and the readiness of proposed  
5 projects. So any money available within the HSCA  
6 land money available within the HSCA budget  
7 statewide, and we believe that we will be able to  
8 obtain the \$2 million necessary to proceed with the  
9 project hopefully in spring and summer of 2025.

10 MS. CAMARDA: I see that we do have a  
11 question. But real quick, since you talked about  
12 the timing, when will the cleanup take place?

13 MS. LEWIS: The Hazardous Sites  
14 Cleanup Act is required to conduct the public  
15 hearing and provide a comment period of 90 days to  
16 allow the public an opportunity to submit  
17 information or comments regarding the proposed  
18 response.

19 The public comment period ends, as we  
20 mentioned, on March 21st, 2025. And then following  
21 the conclusion of that comment period, we will have  
22 a response period. And then we will select a  
23 contractor who will then develop a work plan for the  
24 removal of the poles and ties from the site.

25 So we're optimistic that we can get

1 that rolling by late spring, early summer, as I said  
2 a second ago, and the public will have access to all  
3 this information and updates on the DEP HSCA  
4 Response community information webpage.

5 MS. CAMARDA: Thank you. And then  
6 finally, before we get to the questions of the  
7 public that have joined, there's a - you talked  
8 about a Consent Order and Agreement. So the  
9 responsible party was ordered and agreed to clean up  
10 the site.

11 Why haven't they?

12 MS. LEWIS: So it was determined that  
13 the responsible parties that were included in the  
14 CO&A did not have financial resources to fully  
15 comply with it. So in recent - and in recent years,  
16 one of the properties, Tub Mill Farms, Parcel A,  
17 specifically, was sold. So the HSCA and associated  
18 funding gives the authority to the DEP to address  
19 this contamination and threat to the public health  
20 and environment.

21 So since there's no responsible party  
22 willing or able to do so, if there's no responsible  
23 party willing or able to do so. And it also gives  
24 DEP the ability to seek cost recovery against  
25 identified responsible parties to recoup some of

1 that money. And cost recovery is going to be  
2 considered in this particular matter in the future.

3 MS. CAMARDA: Thank you. I'm going  
4 to -. We'll unmute Jacob's line, so Jacob can ask a  
5 question and then we'll move on to Pat.

6 Jacob, can you unmute yourself and  
7 ask your question?

8 MR. HAGLUND: Yes. Can you hear me?

9 MS. CAMARDA: We can. Thank you.

10 MR. HAGLUND: Yeah. I was just  
11 wondering, is there a court-ordered lien allowing  
12 the DEP to make such remediation efforts?

13 MS. LEWIS: You said lane?

14 MR. HAGLUND: Yeah, like a lien on  
15 the property?

16 MR. VOGEL: This is Paul Vogel,  
17 Environmental Group Manager. Right now there's not  
18 a lien on the property. But it is one of the tools  
19 that we can use when we're evaluating how to proceed  
20 with cost recovery. The funding and payment for the  
21 project will be exclusively right now through the  
22 HSCA Fund. And then any monies that we can recoup  
23 in the future will be through cost-recovery efforts,  
24 which might include mortgaging or liens on the  
25 property.

1                   MR. HAGLUND:   Okay, that makes sense.  
2   Thank you.

3                   MS. CAMARDA:   Thank you.   And next we  
4   have Pat or Senator Stefano.

5                   Can you unmute yourself?

6                   SENATOR STEFANO:   There we go.  
7   Thank you for giving me the power to do so.   Senator  
8   Pat Stefano, thank you for your presentation today.  
9   I have a couple quick questions for you.   Other than  
10   DEP, who else has asked for this site remediation?

11                  MR. VOGEL:   Who had asked for the  
12   site remediation?   We've had people discuss with us  
13   the impact of what remains at the site.   Me,  
14   personally - this is Paul Vogel.   Me personally,  
15   I've had one person bring the site to my attention,  
16   and that's Mr. John Oliver.   But that is oftentimes  
17   how we are presented with sites from somebody making  
18   us aware of them.   And then we follow up, we being  
19   the HSCA group staff, follow up with investigation  
20   and then determination as to whether, A, there are  
21   hazardous contaminants, which would allow us to use  
22   the authority of HSCA, and B, whether we would  
23   prioritize it to take some sort of action.

24                  The direct answer to your question is  
25   I have one individual who brought this site to my

1 attention, but I also had knowledge of it from the  
2 dealings with our waste management staff and program  
3 staff in that area as well.

4 SENATOR STEFANO: Yeah, it seems like  
5 it's been, what, 20 years you've been working on  
6 this, but I know it's a remote location and it  
7 currently doesn't directly affect anybody close by.  
8 And one of your options is to do nothing. Now, I  
9 know you haven't selected that, but since that is  
10 the least expensive option, if you did nothing, what  
11 environmental impact would it be beyond the borders  
12 of that property?

13 MR. VOGEL: I'm not sure whether I  
14 can get into the extent of where the contamination  
15 could migrate or travel. But again, for our  
16 purposes in establishing justification under the  
17 Act, it's just mere presence of hazardous substances  
18 and the potential for migration.

19 And when you say we've been working  
20 on it for 20 years, again, we haven't. The HSCA  
21 Program hasn't been involved. I know our waste  
22 management program has been involved with trying to  
23 elicit compliance from the property owners.

24 So you know, oftentimes if you have  
25 property owners or responsible parties who are



1 unwilling to do what they're supposed to do, it can  
2 take unfortunately years to have action happen.  
3 That's an unfortunate part of it. And again, we do  
4 prioritize sites.

5                   So for some of the reasons you  
6 mentioned, it's remote. We don't believe right now  
7 that there's an immediate danger of human health,  
8 public health impact or environmental impact. But  
9 there are hazardous contaminants. That's the reason  
10 why sites like these often go unaddressed for long  
11 periods of time.

12                   If we were to determine or this was  
13 brought to our attention, maybe say like you  
14 mentioned 15 or 20 years ago, and there were some  
15 more immediate impacts, then there are other options  
16 we might have, including instituting an emergency  
17 HSCA response or a prompt interim HSCA response to  
18 address those concerns.

19                   But just because sites don't present  
20 an immediate risk to people does not mean - or the  
21 environment does not mean that we don't take action.  
22 It just means that they might get prioritized to be  
23 done at a later date and time. Does that answer  
24 your question?

25                   SENATOR STEFANO: Yes, it certainly

1 does. Two other questions. The first one you  
2 mentioned, cost recovery. I think you briefly  
3 touched on that. What type of - what percentage of  
4 the cost, because you said a little under 2 million,  
5 what percentage of that cost do you expect to  
6 recover?

7 MR. VOGEL: A couple things. On the  
8 \$2 million, we actually have no idea what the actual  
9 cost is going to be. And when I say that is because  
10 we have to get a contractor on board. This is the  
11 first step of the process, the public input part,  
12 the administrative part, under HSCA. So we don't  
13 have a contractor involved who has made a  
14 determination on, you know, how we're going to  
15 remove the poles, where they're going to be disposed  
16 of at.

17 So we don't really have an idea of  
18 the real cost. The \$2 million comes from a  
19 categorization under HSCA, which means the response  
20 is categorized as an interim response if it's less  
21 than \$2 million and takes less than a year to  
22 accomplish. So we suspect that it's going to be  
23 less than \$2 million. But that's where that number  
24 comes from.

25 SENATOR STEFANO: But what if it's

1 more?

2 MR. VOGEL: If it's more, then we  
3 may have to -.

4 SENATOR STEFANO: If it goes into  
5 another category -.

6 MR. VOGEL: Yeah, it goes into  
7 another category. It depends on how much more. I  
8 mean, quite honestly, we have had interim responses  
9 which have exceeded the \$2 million. But if it's  
10 not, you know, by some large amount, we usually  
11 would just keep it as an interim category, just like  
12 we use like change orders and things like that.

13 But if a contractor comes back to us  
14 and says, hey, this is a - this is going to take \$4  
15 million to clean this up, then it would become -  
16 we'd almost have to reopen it and call it a remedial  
17 response under the Hazard Sites Cleanup Act and have  
18 some additional administrative things that we have  
19 to take care of. So yeah, that's what happens in  
20 that event. But again, we're hopeful that it's less  
21 than \$2 million.

22 And I just wanted to make that  
23 distinction, that I don't want everybody to have  
24 that number in their head and be surprised. It  
25 could be less, too. I really don't know. We're

1 hoping it's less, and we feel that it will be less.  
2 That's why we initially categorize it as such.

3 As far as percentage, we try,  
4 obviously, our best to using all identified  
5 potentially-responsible parties to get back as much  
6 of the cost as we possibly can. We don't have a  
7 predetermined percentage, but we do - you know,  
8 oftentimes cost recovery involves negotiation  
9 between potential responsible parties, and we  
10 oftentimes do settle for less than a hundred percent  
11 cost recovery.

12 But there is not a specific number I  
13 can provide you. It's all part of negotiating and  
14 what we feel is reasonable at any given point in  
15 time, depending on how those negotiations go.

16 SENATOR STEFANO: Based on the price  
17 - average price per acre sold in that area, I don't  
18 think you recover very much if you are selling the  
19 property. That was one of my questions.

20 MR. VOGEL: Yeah. Hopefully we're  
21 going to use other avenues than just the sale of the  
22 property.

23 SENATOR STREFANO: Is there other  
24 identified potential responsible parties,  
25 particularly those that transported the waste and

1 generated the waste initially, who also have money?

2 MR. VOGEL: We have - cost recovery  
3 includes money not related to the sale of the  
4 property as well.

5 SENATOR STEFANO: Okay. Well, that's  
6 good to know. And lastly, for my curiosity, this  
7 type of contamination, basically the treated wood  
8 products, how is that typically disposed of in an  
9 environmentally-friendly way?

10 MR. VOGEL: That's a good question.  
11 I'm not sure. Stephanie, did you research on how -?

12 MS. LEWIS: It would probably be a  
13 landfill? You know, inhalation is still a risk as  
14 far as, like, burning them, so -.

15 SENATOR STEFANO: Correct.

16 MS. LEWIS: Typically it would be a  
17 landfill.

18 MR. VOGEL: So again, that would be  
19 our contractor -. That would be one of the first  
20 tasks that our contractor has, is to take the list  
21 of, you know, contaminants that we're going to see  
22 and we'll be dealing with. And they are tasked with  
23 finding facilities that can accept that type of  
24 waste.

25 SENATOR STEFANO: I thought you might

1 have had that off the top of your head.

2 MR. VOGEL: No, I don't. I'm sorry.  
3 I apologize. I can assure you we do it according  
4 to, obviously, all of our regulations and  
5 requirements.

6 SENATOR STEFANO: Well, I'm sure you  
7 do, as you've been pursuing this site for some time.  
8 That was the extent of my questions. Thank you.

9 MS. LEWIS: Thank you.

10 MS. CAMARDA: Thank you. Thank you,  
11 Senator. If anyone else joining has a question,  
12 please use the raise hand function and we'll unmute  
13 you. But I think we can go through just a couple  
14 other questions that people have submitted prior to  
15 the hearing. And that was - one of them was  
16 disposal.

17 I don't know, Stephanie, if there's  
18 anything else you wanted to note on that, but if you  
19 could address what happens to the poles and ties and  
20 then what happens to the site once the poles are  
21 removed. And just how bad is that contamination?

22 MS. LEWIS: Yes. So one of the  
23 things that we would be addressing with our  
24 contractor is whether the ties and poles are going  
25 to be sent offsite as a whole or if they're going to

1 be broken down onsite. But again, like I mentioned,  
2 the waste generated would go to an offsite-permitted  
3 facility to do that proper disposal for the end.

4 But as far as what happens once the  
5 poles are removed, there are some aspects of the  
6 site, as we mentioned, that are currently unknown  
7 because there has not been any remediation taking  
8 place on the site yet. But our main objective is to  
9 minimize or eliminate the potential threat by  
10 removing those poles and ties. And then we would  
11 evaluate whether soil removal is warranted through  
12 visual observation. It is not a final remedial  
13 response under the HSCA. An additional action may  
14 be required to achieve a complete and final cleanup  
15 of the site.

16 But DEP would consider additional  
17 cleanup of the site in the future, or any current or  
18 future owners of the property can consider further  
19 remediation of the site under the DEP's land  
20 recycling program, which is commonly referred to as  
21 our Act 2 section.

22 MS. CAMARDA: Thank you, Stephanie.  
23 I think we've covered most of the issues that anyone  
24 who registered either provided or obviously the  
25 folks who spoke this evening. I'll give kind of one

1 last call. If anyone has a question to use the  
2 raise hand function, it's right in the middle of the  
3 toolbar, in the middle of your screen.

4 And seeing none, we will continue to  
5 move on with the public hearing portion of tonight's  
6 agenda. And our court stenographer will start  
7 recording the session now as we get into the formal  
8 hearing.

9 Unlike the presentation and question  
10 and answer part of the event, this public hearing is  
11 designed for DEP to receive testimony. We will not  
12 respond to questions during this portion. Rather,  
13 we'll take all of the comments that we received this  
14 evening, as well as any written responses or  
15 questions, comments received during the public  
16 comment period and formulate a comment-and-response  
17 document. Those - any questions or comments or  
18 feedback written or given to us orally tonight,  
19 they're all given equal weight with DEP.

20 Anyone who registered this evening  
21 was provided contact information to submit their  
22 testimony or comments, but we'll also provide that  
23 again. We'll put that back up on the screen before  
24 we close out the evening. Please - again, please  
25 note that this hearing is recorded by a court



1 stenographer. By participating in the hearing, you  
2 are agreeing to be recorded.

3 We don't really have this issue, but  
4 if you use threatening or offensive language, you  
5 will forfeit your time to speak. And those who  
6 registered do have three minutes to provide their  
7 testimony. We have two registered testifiers this  
8 evening and I only see one present.

9 First up, we do have Jacob Haglund.  
10 And I will - you now have mic access and you'll be  
11 able to provide your testimony in just a moment.

12 And then we have one additional  
13 person who has registered and it does not look like  
14 they have joined, but we will continue to watch to  
15 see if they join us.

16 Jacob, you can now unmute and provide  
17 any feedback or testimony that you would like.

18 MR. HAGLUND: Thanks for giving me  
19 the time to be able to speak. It's sad to see that  
20 this has been in the DEP system since 1995. I think  
21 with such hazardous substances being present with  
22 these railroad ties and telephone poles, they could  
23 easily leach into soil and further into groundwater.  
24 It could definitely cause major health risks and  
25 concerns.

1                   I know several people within the area  
2 that have been diagnosed with cancer and have since  
3 passed away. I live in the Springs area and this  
4 site actually is kind of close to home. My  
5 grandmother was raised on the farm where these  
6 telephone poles and ties were offloaded and just  
7 have just sat there for many years. And I would  
8 like to see at least in this interim response there  
9 be further sampling of groundwater to address such  
10 concerns.

11                   These concerns of PAHs, arsenic,  
12 creosote, PCP, they all can cause organ damage,  
13 cancer and other major health concerns. And I think  
14 these - such issues should be addressed at least in  
15 the groundwater perspective. I would like to see  
16 the DEP consider monitoring wells and also consider  
17 further remediation once this interim process is  
18 completed and maybe find further evidence to address  
19 such issues.

20                   In conclusion, the contamination of  
21 Tub Mill Farms and Clearview Farms represents a  
22 clear and present danger to public health and  
23 aquatic ecosystems. The hazardous chemicals  
24 identified pose long-term risks to those who rely on  
25 well water within the affected area and to the

1 delicate eco system of the trout stream Tub Mill  
2 Run, which is in the watershed where these ties and  
3 telephone poles are.

4                   This is not just an environmental  
5 issue but a community health concern that requires  
6 comprehensive action. I implore the DEP to commit  
7 robust groundwater and surface water monitoring,  
8 transparent communication with the public, and the  
9 swift removal of contaminated materials to mitigate  
10 further harm. Let us act decisively now to protect  
11 the health of our families, the vitality of our  
12 ecosystem, the safety of our drinking water.

13                   Anything else would be a disservice  
14 to our community and the natural resources we are  
15 duty-bound to preserve.

16                   I'm also speaking from a perspective  
17 of having some education on this particular topic.  
18 I work for Maryland Department of the Environment  
19 and just believe that the DEP should do a little  
20 more for the sake of this interim process. Thank  
21 you.

22                   MS. LEWIS: Thank you, Jacob.

23                   MS. CAMARDA: Next we have Eric  
24 Harder. I see that there is an Eric that joined us,  
25 so I'll unmute and give you the opportunity to

1 identify yourself, if you are Eric Harder.

2 MR. HARDER: Hi, this is Eric.

3 MS. CAMARDA: Hi.

4 MR. HARDER: I apologize. I was on  
5 the provided phone number and it wasn't letting me  
6 get through to ask any questions, so -.

7 MS. CAMARDA: Oh, I'm so sorry about  
8 that. Thank you very much. And I'm really glad  
9 that you were able to join us.

10 MR. HARDER: Yes.

11 MS. CAMARDA: Go ahead with your  
12 testimony.

13 MR. HARDER: Sure. Just want to echo  
14 a lot of things that the individual said before me,  
15 and also what Senator Stefano had mentioned during  
16 the kind of question-and-answer portion.

17 I think the \$2 million based on just  
18 trucking alone to an offsite registered landfill  
19 that can accept this kind of weight would likely be  
20 a Subtitle C facility and there is one near us.  
21 However, they are at capacity and extremely out of  
22 compliance and in all sorts of violations and under  
23 Consent Orders themselves.

24 So I would say recovering as much as  
25 the cost from the I would say guilty parties is one

1 of the first things DEP should be doing. They know  
2 who the culprit was that accepted the waste, the  
3 people that had deposited the waste. So I think  
4 following up on that should be in some minds just as  
5 important as the cleanup and monitoring and I guess  
6 transparency regarding what it is doing with the  
7 environment, the Casselman River, the nearby water  
8 wells, as the individual spoke about.

9                   So I - I do agree with what he was  
10 saying, and obviously can commend Senator Stefano  
11 for speaking up on behalf of the taxpayers, because  
12 essentially a lot of this money is just going to be  
13 routed out of its pocket, so -.

14                   Furthermore, I think that we do need  
15 to emphasize that the possibility of these  
16 contaminants moving offsite through groundwater,  
17 through soil, through surface water is a big concern  
18 of ours.

19                   And I work for Mountain Watershed  
20 Association as the Youghiogheny Riverkeeper. We're  
21 a nonprofit based out of Melcroft, but basically do  
22 monitoring all over the site, excuse me, all over  
23 the watershed. And we've known about this site for  
24 years, and I was shocked to see that it was in 1996  
25 when it was first documented.

1                   So you know, the question about who  
2 has actually had concerns about this site. Well,  
3 it's been going on for so many years. We know DEP's  
4 turnover of employees can be pretty large and swift.  
5 So to say that there's only been one person that  
6 shows concern is kind of an underestimating of the  
7 issue, especially when DEP staff has been looking at  
8 this for so long.

9                   Consent Orders, I think those are  
10 enough of a concern to continue not only stream,  
11 soil monitoring and that transparency that we were  
12 talking about, but also, again, going after the  
13 guilty parties, because I think that's really the  
14 only way that we can put a kind of limit on  
15 continued behavior like this. And unfortunately,  
16 the contractor is also going to have to be watched  
17 and make sure that they are transparent in wherever  
18 they're taking it, so that it doesn't just lie  
19 elsewhere in our watershed or neighboring community.

20                   I'm probably at my limit there, but I  
21 want to thank DEP for taking on this task and  
22 hopefully there'll be some more answers regarding  
23 some of the points that were brought up in the  
24 comment response document. So thank you.

25                   MS. CAMARDA: Thank you, Eric. That

1 concludes the individuals who have registered to  
2 provide testimony this evening, so we will close our  
3 hearing. DEP will continue to accept public  
4 comments on the HSCA response until 4:00 p.m. on  
5 March 21st, 2025. Please email your testimony  
6 comments to RA-EPSW-HSCA@pa.gov. You may also mail  
7 your comments to Tub Mill/Clearview Farms HSCA  
8 Pennsylvania DEP, 400 Waterfront Drive, Pittsburgh,  
9 PA, 15222.

10                   You will receive the comment response  
11 document after the comment period ends and the  
12 document has been prepared. And DEP will also post  
13 this information, any additions to the  
14 administrative record or documents or related  
15 information on its Community Information page, which  
16 you also received a link to when you registered.  
17 We will follow up to provide you with that  
18 information if you need it, but that is a good site  
19 to check as more details become available.

20                   Again, thank you for being here and  
21 for your participation and interest in this issue.  
22 On behalf of the rest of the DEP staff on the line,  
23 we appreciate your feedback and good night.

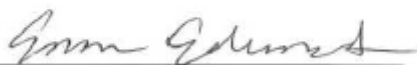
24                   \* \* \* \* \*

25                   HEARING CONCLUDED AT 6:37 P.M.

## CERTIFICATE

I hereby certify that the foregoing proceedings, a hearing held before Lauren Camarda was reported by me on January 22, 2025 and that I, Emma Edwards, read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

Dated the 7th day of February, 2024.



Emma Edwards,

Court Reporter